

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 38137-0022

In re patent application of:
Bernhard FLECKENSTEIN et al.

Serial No.: Unassigned (Continuation of
09/230,048 filed 3/12/1999) Art Unit: Unassigned

Filed: Concurrently Herewith Examiner: Unassigned

For: VIRAL INTERLEUKIN-6

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

The documents submitted herewith on Form PTO/SB/08A, lists the documents cited by or submitted to the Patent Office in parent application Serial No. 09/230,048 filed March 12, 1999.

As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/230,048 filed March 12, 1999.

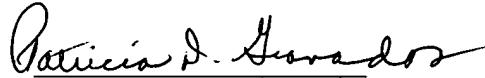
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Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

April 21, 2004

Date



Patricia D. Granados
Reg. No. 33,683
Attorney for Applicants

Customer ID No. 26633

HELLER EHRMAN WHITE & McAULIFFE LLP
1666 K Street, N.W., Suite 300
Washington, DC 20006
Telephone: (202) 912-2000
Facsimile: (202) 912-2020

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	Unassigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Bernhard FLECKENSTEIN et al.
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet	1	of	2
		Attorney Docket Number	38137-0022

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Neipel, F., et al "Human Herpesvirus 8 Encodes a Homolog of Interleukin-6", Journal of Virology, Vol. 71, No. 1, pp. 839-842 (1997)	
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		Zhong, W., et al., "Restricted Expression of Kaposi Sarcoma-Associated Herpesvirus (Human Herpesvirus 8) Genes in Kaposi Sarcoma", Proc. Natl. Acad. Sci. USA, Vol. 93, pp. 6641-6646 (1996)	
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		Orkin et al., "Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy", December 1995	

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